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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Debra Morales Ruiz, et al.,

Plaintiff,

vs.

Maricopa County of, et al.,

Defendants.

NO. CV-23-02482-PHX-SRB (DMF)

**DEFENDANT MARICOPA COUNTY'S
ANSWER TO PLAINTIFFS' SECOND
AMENDED COMPLAINT**

Defendant Maricopa County ("The County") answers Plaintiffs' Second Amended Complaint ("SAC") by denying every allegation therein except as otherwise admitted or qualified as follows¹:

INTRODUCTION

1. The County denies the allegations in Paragraph 1 for lack of sufficient information.
2. The County admits that Alexander Chavez was booked into the Lower Buckeye Jail. The County denies any remaining allegations in Paragraph 2 for lack of sufficient information.

¹ On August 14, 2025, the Court dismissed Count I as to Defendant Crutchfield, Count II as against Defendant Maricopa County, and Counts III and IV in whole. On October 15, 2025, the Court, upon reconsideration, reinstated Defendant Maricopa County as to County II only. (Doc. 59).

1 3. Paragraph 3 is not directed toward the County and therefore no answer is required.
2 To the extent an answer may be required, the County denies the same for lack of sufficient
3 information.

4 4. Paragraph 4 is not directed toward the County and therefore no answer is required.
5 To the extent an answer may be required, the County denies the same for lack of sufficient
6 information.

7 5. Paragraph 5 is admitted.

8 6. As to Paragraph 6, the County admits Mr. Chavez was booked into Maricopa
9 County Jails on August 5, 2022. The County further admits that he was later transported
10 to the hospital on August 8, 2022. The County denies the remaining allegations contained
11 in Paragraph 6.

12 7. The County admits that Mr. Chavez died on August 12, 2022. The County denies
13 any remaining allegations contained in Paragraph 7.

14 **THE PARTIES**

15 8. The County incorporates its answers to Paragraphs 1 - 7 above as though fully set
16 forth herein.

17 9. As to Paragraph 8, the County lacks sufficient knowledge or information to form a
18 belief as to the truth of the allegation and, therefore, denies the same.

19 10. As to Paragraph 9, the County lacks sufficient knowledge or information to form a
20 belief as to the truth of the allegation and, therefore, denies the same.

21 11. As to Paragraph 10, the County lacks sufficient knowledge or information to form
22 a belief as to the truth of the allegation and, therefore, denies the same.

23 12. As to Paragraph 11, the County admits that it is a governmental entity. The County
24 denies that Defendants Chester, Rainey, Marsland, and Espinosa were or are CHS
25 employees but were, at all times relevant to Plaintiffs' SAC, employees of the Maricopa
County Sheriff's Office.

26 13. As to Paragraph 12, the County denies that CHS is a defendant and denies that CHS
27 is a governmental entity. The County admits that Crutchfield and Struble are Defendants
28 and employed with CHS.

1 14. As to Paragraphs 13 - 26 of Plaintiff's SAC, the County lacks sufficient knowledge
2 or information to form a belief as to the truth of the allegation and, therefore, denies the
3 same.

4 15. As to Paragraph 27, the County admits that Defendant Crutchfield was employed
5 with Correctional Health Services as the Medical Director and was operating in such
6 capacity at all times relevant to the SAC.

7 16. As to Paragraph 28, the County admits that Defendant Struble is employed with
8 Correctional Health Services as the Director of CHS and was operating in such capacity
9 at all times relevant to the SAC.

10 17. As to Paragraph 29, the County is without sufficient information to admit or deny
11 the allegations and therefore deny the same.

12 18. As to Paragraph 30, the County admits it may be vicariously liable for the acts of
13 CHS employees. The County denies any remaining allegations contained in Paragraph
14 30.

15 19. As to Paragraph 31, the County is without sufficient information to admit or deny
16 the allegations and therefore denies the same.

17 **JURISDICTION AND VENUE**

18 20. The County incorporates its answers to Paragraphs 1 - 31 above as though fully set
19 forth herein.

20 21. As to Paragraph 32, the County admits jurisdiction is proper. The County denies
21 violations of any applicable laws.

22 22. Paragraph 33 is admitted.

23 23. As to Paragraph 34, the County lacks sufficient information to either admit or deny
24 the allegations and therefore denies the same.

25 24. As to Paragraph 35, the County admits jurisdiction is proper.

26 25. As to Paragraph 36, the County admits venue is proper.

27 **FACTUAL ALLEGATIONS**

28 26. The County incorporates its answers to Paragraphs 1 - 36 above as though fully set
forth herein.

1 27. As to Paragraph 37, the County denies that Chavez was classified with a sub-
2 classification of “Psychiatric” during the intake process.

3 28. Paragraph 38 is not directed toward the County and therefore no answer is required.
4 To the extent an answer may be required, the County denies the same for lack of sufficient
5 information.

6 29. Paragraph 39 is not directed toward the County and therefore no answer is required.
7 To the extent an answer may be required, the County denies the same for lack of sufficient
8 information.

9 30. The County denies the allegations contained in Paragraph 40 of the SAC.

10 **FIRST SUICIDE ATTEMPT**

11 31. The County incorporates its answers to Paragraphs 1 - 40 above as though fully
12 set forth herein.

13 32. As to Paragraph 41, the County admits Chavez was found to have ingested
14 Fentanyl pills and that approximately 250 Fentanyl pills were found on his person. The
15 County is without sufficient information to admit or deny any remaining allegations and
16 therefore denies the same.

17 33. Paragraphs 42 - 58 of Plaintiffs’ SAC are not directed toward the County and
18 therefore no answer is required. To the extent an answer may be required, the County
19 denies the same for lack of sufficient information.

20 34. The County denies the allegations contained in Paragraphs 59 - 62 of Plaintiffs’
21 SAC.

22 35. As to Paragraph 63, the County is without sufficient information to admit or deny
23 the allegations and therefore denies the same.

24 36. The County denies the allegations contained in Paragraphs 64 - 73 of Plaintiffs’
25 SAC.

26 37. As to Paragraph 74, the County is without sufficient information to admit or deny
27 the allegations and therefore denies the same.
28

1 38. As to Paragraphs 75 - 83 of Plaintiffs' SAC, the County is without sufficient
2 information to admit or deny the allegations and therefore denies the same.

3 39. The County denies the allegations contained in Paragraph 84.

4 40. As to Paragraphs 85 - 87, the County is without sufficient information to admit or
5 deny the allegations and therefore denies the same.

6 **SECOND SUICIDE ATTEMPT AND SUBSEQUENT DEATH**

7 41. The County incorporates its answers to Paragraphs 1 - 87 above as though fully set
8 forth herein.

9 42. As to Paragraph 88, the County is without sufficient information to admit or deny
10 the allegations and therefore denies the same.

11 43. Paragraph 89 contains no allegations. To the extent an answer may be required,
12 the County denies the same for lack of sufficient information.

13 44. The County denies the motive asserted in Paragraph 90. The County is without
14 sufficient information to admit or deny any remaining allegations and therefore denies
15 the same.

16 45. The County denies the allegations contained in Paragraph 91.

17 46. As to Paragraphs 92 - 94, the County is without sufficient information to admit or
18 deny the allegations and therefore denies the same.

19 47. The County admits Chavez died on August 12, 2022.

20 **FAILURE TO ASSESS, CLASSIFY, AND MONITOR**

21 48. The County incorporates its answers to Paragraphs 1 - 95 above as though fully set
22 forth herein.

23 49. The County denies the allegations contained in Paragraphs 96 - 97 of Plaintiffs'
24 SAC.

25 50. Paragraph 98 is not directed toward the County and therefore no answer is required.
26 To the extent an answer may be required, the County denies the same for lack of sufficient
27 information.

28 51. As to Paragraph 99, the County is without sufficient information to admit or deny
the allegations and therefore denies the same.

1 52. The County denies the allegations contained in Paragraphs 100 - 102 of Plaintiffs'
2 SAC.

3 53. As to Paragraph 103, the County is without sufficient information to admit or deny
4 the allegations and therefore denies the same.

5 54. The County denies the allegations contained in Paragraph 104.

6 55. As to Paragraphs 105 - 106, the County is without sufficient information to admit
7 or deny the allegations and therefore denies the same.

8 56. The County denies the allegations contained in Paragraph 107.

9 57. Paragraphs 108 - 146 are not directed toward the County and therefore no answer
10 is required. To the extent an answer may be required, the County denies the same for
11 lack of sufficient information.

12 58. Paragraphs 147 - 149 contain no allegations. To the extent an answer may be
13 required, the County denies the same for lack of sufficient information.

14 59. As to Paragraph 150, the County is without sufficient information to admit or deny
15 the allegations and therefore denies the same.

16 60. The County denies the allegations contained in Paragraphs 151 - 152.

17 61. Paragraph 153 contains no allegations. To the extent an answer may be required,
18 the County denies the same for lack of sufficient information.

19 62. The County denies the allegations contained in Paragraphs 154 - 155.

20 63. Paragraph 156 is not directed toward the County and therefore no answer is
21 required. To the extent an answer may be required, the County denies the same for lack
22 of sufficient information.

23 64. The County denies the allegations contained in Paragraphs 157 - 161.

24 65. As to Paragraphs 162 - 165, the County is without sufficient information to admit
25 or deny the allegations and therefore denies the same.

26 66. Paragraph 166 is not directed toward the County and therefore no answer is
27 required. To the extent an answer may be required, the County denies the same for lack
28 of sufficient information.

1 67. As to Paragraph 167, the County denies its actions violated any constitutional
2 rights, federal or state.

3 **MARICOPA AND MCSO HAVE AN ASTONISHINGLY HIGH DEATH RATE**

4 68. The County incorporates its answers to Paragraphs 1 - 167 above as though fully
5 set forth herein.

6 69. As to Paragraphs 168 - 183, the County is without sufficient information to admit
7 or deny the allegations and therefore denies the same.

8 **COUNT II²**

9 **Negligence and Gross Negligence**

10 70. The County incorporates its answers to Paragraphs 1-183 above as though fully set
11 forth herein.

12 71. Paragraph 198 contains no allegations. To the extent any allegations are construed,
13 the County denies the same.

14 72. As to Paragraphs 199 - 201, the County is without sufficient information to admit
15 or deny the allegations and therefore denies the same.

16 73. The County denies the allegations contained in Paragraphs 202 - 209.

17 74. As to Paragraph 210, the County admits that it may be liable for the acts or
18 omissions of certain employees. The County denies that it is liable for the acts or
19 omissions of the Maricopa County Sheriff and/or his employees.

20 75. The County denies the allegations contained in Paragraphs 211 - 214.

21 76. Paragraph 215 is not directed toward the County and therefore no answer is
22 required. To the extent an answer may be required, the County denies the same for lack
23 of sufficient information.

24 77. The County denies the allegations contained in Paragraphs 216 - 217.

25 **DEMAND FOR JURY TRIAL**

26 Pursuant to Rule 38, of the Federal Rules of Civil Procedure, Defendants demand
27 a jury trial on all issues so triable.

28

² Only Count II of Plaintiffs' SAC applies to Defendant Maricopa County. (Doc. 59).

DEFENSES AND AFFIRMATIVE DEFENSES

Having fully answered Plaintiff's SAC, the County asserts the following affirmative defenses:

A. Plaintiffs' SAC fails to state a claim upon which relief can be granted.

B. Defendants assert that the Plaintiffs have failed to mitigate their damages.

C. Defendants did not have a duty to provide housing completely void of opportunities for an inmate to commit suicide. *See e.g. Maricopa County v. Cowart*, 106 Ariz. 69 (1970).

D. Plaintiffs' claims are subject to the limitations contained in any and all federal and/or state laws which may govern this action.

E. Plaintiffs cannot demonstrate that any deprivation of constitutional rights occurred because of any deliberate acts or omissions on the part of Defendants, and, thus, Plaintiffs cannot demonstrate that any deliberate acts or omissions on the part of Defendants establish liability on the part of Defendants. Further, Plaintiffs cannot establish that any deliberate acts or omissions on the part of Defendants proximately caused their alleged damages.

F. Plaintiffs' and/or Alexander Chavez's damages and/or injuries, if any, which Defendants deny, were caused in whole or in part by Plaintiffs' and/or Alexander Chavez's comparative/contributory negligence, thereby reducing or barring any recovery pursuant to A.R.S. §§ 12-2505, 2506.

G. Neither Defendant Sheridan nor Defendant Penzone is responsible for providing, managing, or supervising healthcare services of inmates under Arizona law. Ariz.Rev.Stat. § 11-441(A)(5); Ariz. Rev.Stat. § 31-101.

H. Defendants owed no legal duty to Plaintiffs or Decedent regarding the circumstances complained of in the SAC.

I. Defendants did not breach duty owed Plaintiffs or Decedent regarding the circumstances complained of in the SAC.

J. Any alleged injuries and/or alleged damages to Plaintiffs or Decedent were not proximately caused by any wrongful act or omission of Defendants.

1 K. Plaintiffs cannot establish that Defendants are the proximate cause of
2 Plaintiffs' damages.

3 L. Defendants' actions were not negligent, grossly negligent, reckless,
4 intentional, willful, or wanton and they were acting reasonably, in good faith, without
5 malice, and based upon legal process, probable cause and/or reasonable suspicion, with
6 reasonable belief as to the legality of relevant matters.

7 M. Defendants did not act with a purpose to harm or with deliberate
8 indifference to the rights of anyone, including Plaintiffs or Decedent, for reasons unrelated
9 to legitimate law enforcement objectives.

10 N. Defendants affirmatively allege that other affirmative defenses may come
11 to light as this case progresses. Accordingly, Defendants affirmatively allege those
12 affirmative defenses contained in Rules 8(c) and 12(b) of the Federal Rules of Civil
13 Procedure as well as any other affirmative defenses that may become applicable pursuant
14 to discovery, including: failure to join a necessary and proper party; insufficiency of
15 service of process; lack of service; assumption of the risk; estoppel; laches; fraud;
16 illegality; lack of respondeat superior; spoliation; statute of limitations; waiver;
17 acquiescence; unclean hands; statutory and state/federal constitutional defenses to
18 punitive damages; contributory negligence; comparative fault; qualified immunity;
19 absolute immunity; and any other matter which constitutes an avoidance or affirmative
20 defense which further discovery may demonstrate to be applicable.

21 O. Defendants allege all affirmative defenses listed in the Arizona Rules of
22 Civil Procedure, Rules 8(c) and 12(b), were applicable, as well as any other affirmative
23 defenses that may come to light during discovery, including but not limited to: failure to
24 join responsible parties, assumption of risk, insufficiency of process, insufficiency of
25 service of process, absolute and qualified immunity, estoppel, laches, statute of
26 limitations, waiver, lack of *respondeat superior*, contributory negligence, comparative
27 negligence, non-parties at fault, failure to exhaust administrative remedies, and any other
28 matter which constitutes an avoidance or affirmative defense.

1 P. Defendants have not knowingly or intentionally waived any applicable
2 defenses or affirmative defenses. If it appears that any defense or affirmative defense is
3 or may be applicable after Defendants have had the opportunity to conduct reasonable
4 discovery in this matter, Defendants will assert such defenses or affirmative defenses in
5 accordance with the Federal Rules of Civil Procedure.

6 Q. A.R.S. § 14-3110 bars Plaintiffs' claims for alleged pain and suffering
7 damages and/or other alleged hedonic damages.

8 R. Plaintiffs are not entitled to punitive damages as a matter of law.

9 S. A.R.S. § 12-820.04 bars recovery of punitive damages.

10 T. At all times herein mentioned, Defendants acted in good faith and with
11 reasonable belief as to the legality of things and matters attributed to Defendants, and that
12 as a consequence thereof, no liability should or can be imposed on Defendants pursuant
13 to the doctrine of qualified immunity.

14 U. The damages, if any, sustained by Plaintiffs were proximately caused by
15 Plaintiffs, decedent, or other persons, whether named as parties herein or not, and such
16 persons were not within the care, custody or control of Defendants.

17 V. Defendants are entitled to absolute and/or qualified immunity under Federal
18 and/or State law.

19 W. The County is not liable for the acts or omissions of the Maricopa County
20 Sheriff and/or his employees. *Sanchez v. Maricopa Cnty.*, 572 P.3d 101 (Ariz. 2025).

21 Wherefore, having fully answered the Second Amended Complaint, Defendants
22 hereby requests the following relief:

- 23 1. That this action be dismissed in its entirety, with Plaintiffs taking nothing;
- 24 2. For the costs and attorneys' fees incurred herein; and
- 25 3. For such other relief as this Court deems just and proper.

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1 **RESPECTFULLY SUBMITTED** this 13th day of November 2025.

2 RACHEL H. MITCHELL
3 MARICOPA COUNTY ATTORNEY

4 By /s/ Courtney R. Glynn
5 COURTNEY R. GLYNN
6 Deputy County Attorneys
7 *Attorneys for Maricopa County, Struble,*
8 *Crutchfield, Dimas, Hawkins, Hertig, Martin,*
9 *Montano, Moody, Park, Smith, Chester, Rainey,*
10 *Marsland, Magat, Dailey, Maricopa County*
11 *Sheriff Jerry Sheridan, and former Maricopa*
12 *County Sheriff Paul Penzone*

13 **CERTIFICATE OF SERVICE**

14 I hereby certify that on November 13, 2025, I caused the foregoing document to be
15 electronically transmitted to the Clerk's Office using the CM/ECF System for filing and
16 served on counsel of record via the Court's CM/ECF system.

17 /s/ R.S.

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